Every barrister so originally appointed, in forwarding to the Commissioners of Her Majesty's Treasury his appointment, and the statement of having completed his sittings, shall state whether any barrister has or has not been appointed as above mentioned to act in his place.

Same meanings as in 36 & 37 Vict. c. 70.

2. Terms in this Act have the same meaning as in the Revising Barristers Act, 1873.

Extent of Act.

3. This Act shall not extend to Scotland or Ireland.

Short titles of Acts.

4. This Act may be cited as the Revising Barristers Act, 1874. The Act of the session of the thirty-fifth and thirty-sixth years of the reign of Her present Majesty, chapter eighty-four, intituled "An Act to amend the law relating to the appointment of revising barristers," may be cited as the Revising Barristers Act, 1872.

This Act and the Revising Barristers Act, 1872, and the Revising Barristers Act, 1873, may be cited together as the Revising Barristers Acts, 1872 to 1874.

Provisions of Acts in schedule repealed.

5. The Acts specified in the schedule to this Act are hereby repealed from and after the passing of this Act to the extent specified in the third column of that schedule, without prejudice to anything done or suffered before the passing of this Act under the enactments hereby repealed.

Qualification of revising barrister.

6. No barrister shall be appointed after the passing of this Act to revise any list of voters for any county, city, or borough in England who is of less than seven years standing, unless he has been appointed in any year previous to the year one thousand eight hundred and seventy-three to be such revising barrister.

SCHEDULE.

Session and Chapter.	Title.	Extent of Repeal.
6 & 7 Vict. c. 18.	An Act to amend the Law for the Registration of Persons entitled to vote, and to define certain Rights of voting, and to regulate certain proceedings in the Election of Members to serve in Parliament for England and Wales.	Section twenty-nine from "Provided always that whenever" to the end of the section, and so much of the rest of the section as relates to the appointment of additional barristers in case of the insufficiency of the number of barristers originally appointed; and section fifty-nine from "Provided always that in the case of any barrister" to the end of the section.
35 & 36 Vict. c. 84.	An Act to amend the Law relating to the appointment of Revising Barristers.	The whole Act.

CHAPTER 54.

An Act to amend the Law respecting the Liability and Valuation of certain Property for the purpose of Rates. [7th August 1874.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as "The Rating Act, 1874."

Extent of Act.

2. This Act shall not apply to Scotland or Ireland.

Abolition of certain exemp-

3. Whereas by the Act of the forty-third year of the reign of Queen Elizabeth, chapter two, intituled "An Act for the relief of the poor," it is provided that a poor rate shall be

tions from rating.

raised in every parish by taxation of, amongst other persons, every occupier of certain hereditaments in such parish; and it is expedient to extend the said Act, and the Acts amending the same (which Act and Acts are in this Act referred to as the Poor Rate Acts), to hereditaments other than those mentioned in the said Act: Be it therefore enacted that,—

From and after the commencement of this Act the Poor Rate Acts shall extend to the following hereditaments in like manner as if they were mentioned in the recited Act of the forty-third year of the reign of Queen Elizabeth; that is to say,

(1.) To land used for a plantation or a wood or for the growth of saleable underwood, and not subject to any right of common;

(2.) To rights of fowling, of shooting, of taking or killing game or rabbits, and of fishing, when severed from the occupation of the land; and

(3.) To mines of every kind not mentioned in the recited Act.

Valuation of land used as plantation, &c.

4. The gross and rateable value of any land used for a plantation or a wood, or for the growth of saleable underwood, shall be estimated as follows:—

(*a.*) If the land is used only for a plantation or a wood, the value shall be estimated as if the land instead of being a plantation or a wood were let and occupied in its natural and unimproved state:

(*b.*) If the land is used for the growth of saleable underwood, the value shall be estimated as if the land were let for that purpose:

(*c.*) If the land is used both for a plantation or a wood and for the growth of saleable underwood, the value shall be estimated either as if the land were used only for a plantation or a wood, or as if the land were used only for the growth of the saleable underwood growing thereon, as the assessment committee may determine.

Deduction of rate by tenant of plantation, &c.

5. Where the rateable value of any land used for a plantation or a wood, or both for a plantation or wood and for the growth of saleable underwood, is increased by reason of the same being estimated in accordance with this Act, the occupier of that land under any lease or agreement made before the commencement of this Act, may, during the continuance of the lease or agreement, deduct from his rent any poor or other local rate, or any portion thereof, which is paid by him in respect of such increase of rateable value, and every assessment committee, on the application of such occupier, shall certify in the valuation list or otherwise the fact and amount of such increase.

Valuation and rating of rights of shooting, &c.

6. (1.) Where any right of fowling or of shooting or of taking or killing game or rabbits, or of fishing (herein-after referred to as a right of sporting) is severed from the occupation of the land and is not let, and the owner of such right receives rent for the land, the said right shall not be separately valued or rated, but the gross and rateable value of the land shall be estimated as if the said right were not severed; and in such case if the rateable value is increased by reason of its being so estimated, but not otherwise, the occupier of the land may (unless he has specifically contracted to pay such rate in the event of an increase) deduct from his rent such portion of any poor or other local rate, as is paid by him in respect of such increase; and every assessment committee, on the application of the occupier, shall certify in the valuation list or otherwise the fact and amount of such increase.

(2.) Where any right of sporting, when severed from the occupation of the land, is let, either the owner or the lessee thereof, according as the persons making the rate determine, may be rated as the occupier thereof.

(3.) Subject to the foregoing provisions of this section the owner of any right of sporting, when severed from the occupation of the land, may be rated as the occupier thereof.

(4.) For the purposes of this section, the person who, if the right of sporting is not let, is entitled to exercise the right, or who, if the right is let, is entitled to receive the rent for the same, shall be deemed to be the owner of the right.

Gross and rateable value of

7. Where a tin, lead, or copper mine is occupied under a lease or leases granted without fine on a reservation wholly or partly of dues or rent, the gross value of the mine shall

be taken to be the annual amount of the whole of the dues payable in respect thereof during the year ending on the thirty-first day of December preceding the date at which the valution list is made, in addition to the annual amount of any fixed rent reserved for the same which may not be paid or satisfied by such dues. tin, lead, and copper mines.

The rateable annual value of such mine shall be the same as the gross value thereof, except that where the person receiving the dues or rent is liable for repairs, insurance, or other expenses necessary to maintain the mine in a state to command the annual amount of dues or rent, the average annual cost of the repairs, insurance, and other expenses for which he is so liable shall be deducted from the gross value for the purpose of calculating the rateable value.

In the following cases, namely,—

1. Where any such mine is occupied under a lease granted wholly or partly on a fine; and
2. Where any such mine is occupied and worked by the owner; and
3. In the case of any other such mine which is not excepted from the provisions of this Act and to which the foregoing provisions of this section do not apply;

the gross and rateable annual value of the mine shall be taken to be the annual amount of the dues or dues and rent at which the mine might be reasonably expected to let without fine on a lease of the ordinary duration, according to the usage of the country, if the tenant undertook to pay all tenants rates and taxes and tithe rentcharge, and also the repairs, insurance, and other expenses necessary to maintain the mine in a state to command such annual amount of dues or dues and rent.

The purser, secretary, and chief managing agent for the time being of any tin, lead, or copper mine, or any of them, may, if the overseers or other rating authority think fit, be rated as the occupier thereof.

In this section—

The term "mine," when a mine is occupied under a lease, includes the underground workings, and the engines, machinery, workshops, tramways, and other plant, buildings (not being dwelling-houses), and works and surface of land occupied in connexion with and for the purposes of the mine, and situate within the boundaries of the land comprised in the lease or leases under which the dues or dues and rent are payable or reserved:

The term "dues" means dues, royalty, or toll, either in money or partly in money and partly in kind; and the amount of dues which are reserved in kind means the value of such dues:

The term "lease" means lease or sett, or license to work, or agreement for a lease or sett, or license to work:

The term "fine" means fine, premium, or foregift, or other payment or consideration in the nature thereof.

8. Where any poor or other local rate which at the commencement of this Act any lessee, licensee, or grantee of a mine is exempt from being rated to in respect of such mine, becomes payable by him in respect of such mine during the continuance of his lease, grant, or license, or before the arrival of the period at which the amount of the rent, royalty, or dues is liable to revision or re-adjustment, he may (unless he has specifically contracted to pay such rate in the event of the abolition of the said exemption) deduct from any rent, royalty, or dues payable by him one half of any such rate paid by him: Deduction of rate by tenant of mine.

Provided that he shall not deduct any sum exceeding what one half of the rate in the pound of such poor or other local rate would amount to if calculated upon the rent, royalty, or dues so payable by him.

9. Where any occupier, lessee, licensee, grantee, or other person is authorised by this Act to deduct any rate or sum in respect of a rate from any rent, royalty, or dues payable by him, then— General provision as to deduction of rates.

(1.) Any payment so authorised to be deducted shall be a good discharge for such amount of rent, royalty, or dues as is equal to the amount of such payment, and shall be allowed accordingly.

(2.) Any payment so authorised to be deducted may be recovered as an ordinary debt from the person to whom the rent, royalty, or dues may be payable.

(3.) The person receiving the rent, royalty, or dues shall have the same right of appeal and objection with reference to the rate and to the valuation of the hereditament in respect of which the rate is payable as he would have if he were the occupier of such hereditament.

Liability of property to local rates as well as poor rates.

10. After the commencement of this Act, the hereditaments to which the Poor Rate Acts are extended by this Act, and which are thus made rateable to the relief of the poor, shall be rateable to all local rates in like manner as if the Poor Rate Acts had always extended to such hereditaments.

Commencement of Act.

11. This Act, for the purpose of enabling any hereditament to be included in or omitted from or valued for the purposes of a valuation list or a supplemental or provisional valuation list which will come into force after the sixth day of April one thousand eight hundred and seventy-five, shall come into operation on the passing thereof; but save as aforesaid, or as is otherwise expressly provided by this Act, shall come into operation on the sixth day of April one thousand eight hundred and seventy-five; and the expression "commencement of this Act" shall in this Act be construed accordingly.

As to provisions of Sanitary Acts as defined by 35 & 36 Vict. c. 79.

12. The provisions of the Sanitary Acts, as defined by the Public Health Act, 1872, with respect to any special assessment of wood lands for the purpose of any rate under those Acts shall be deemed to extend to and include land used for a plantation or a wood, or for the growth of saleable underwood, or for both such purposes, and made rateable by this Act to the poor rate.

Saving as to mine where dues payable in kind.

13. Nothing in this Act shall apply to a mine of which the royalty or dues are for the time being wholly reserved in kind, or to the owner or occupier thereof.

Repeal of 43 Eliz. c. 2. as to saleable underwood.

14. So much of the Act of the forty-third year of the reign of Queen Elizabeth, chapter two, intituled "An Act for the relief of the poor," as relates to the taxation of an occupier of saleable underwoods is hereby repealed as from the date at which the provisions of this Act with respect to the taxation of occupiers of land used for the growth of saleable underwood come into operation.

Provided that this repeal shall not affect anything duly done or suffered before the said date, or any right acquired or liability accrued before the said date, or any legal proceeding or remedy in respect of any such right or liability, and every such legal proceeding or remedy may be carried on and enforced in like manner as if this repeal had not been enacted.

Definitions of terms (see sect. 15 of 25 & 26 Vict. c. 103.).

15. In this Act, unless the context otherwise requires,—

The term "gross value" has the same meaning as gross estimated rental in the Union Assessment Committee Act, 1862:

The term "local rate" means any county rate, borough rate, highway rate, and other local rate leviable upon property rateable to the relief of the poor:

The term "valuation list" means, as regards any parish or place for which there is no valuation list, the poor rate:

The term "assessment committee" means, in relation to any parish or place where there is no assessment committee, the persons having power to make and assess the poor rate in such parish or place.